



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

the Application of: **Shuji SAITO et al.**

Serial No.: **10/059,152**

Filed: **January 31, 2002**

Group Art Unit: **1648**

5.30.03

Examiner: **Ali Reza Salimi**

P.T.O. Confirmation No.: **5985**

For: **RECOMBINANT HERPESVIRUS OF TURKEYS AND USE THEREOF** **RECEIVED**

MAY 28 2003

AMENDMENT UNDER 37 CFR §1.111

TECH CENTER 1600/2900

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 23, 2003

Sir:

In response to the Office Action dated **February 27, 2003**, please amend the above-identified application as follows:

CLEAN VERSION OF AMENDMENT

IN THE CLAIMS:

Please amend claims 1 and 2 as follows:

1. (Amended) A recombinant herpesvirus of turkeys harboring an F protein gene of Newcastle disease virus under the control of a promoter of which sequence is shown in SEQ No.1; wherein said recombinant herpesvirus of turkeys does not comprise an HN gene.

2. (Amended) A recombinant herpesvirus of turkeys as in claim 1 wherein the promoter and F protein gene are inserted into a noncoding, inter-ORF region of the backbone virus genome.